

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7775–S7844.

Measures Introduced: Sixteen bills and four resolutions were introduced, as follows: S. 2242–2257, S. Res. 307–309, and S. Con. Res. 24. **Pages S7814–15**

Measures Reported:

Special Report entitled “Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2016”. (S. Rept. No. 114–165)

S. 1298, to provide nationally consistent measures of performance of the Nation’s ports, with an amendment in the nature of a substitute. (S. Rept. No. 114–164)

S. 2152, to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, with amendments. **Page S7814**

Measures Passed:

National Nurse-Managed Health Clinic Week: Committee on the Judiciary was discharged from further consideration of S. Res. 303, designating the week beginning November 8, 2015, as “National Nurse-Managed Health Clinic Week”, and the resolution was then agreed to. **Page S7843**

Authorizing the Use of Emancipation Hall: Senate agreed to S. Con. Res. 24, authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of the marble bust of Vice President Richard Cheney on December 3, 2015. **Page S7843**

National Native American Heritage Month: Senate agreed to S. Res. 307, recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States. **Page S7843**

National Day on Writing: Senate agreed to S. Res. 308, expressing support for the designation of October 20, 2015, as the “National Day on Writing”. **Page S7843**

Relative to the Death of former Senator Fred Thompson: Senate agreed to S. Res. 309, relative to the death of Fred Thompson, former United States Senator for the State of Tennessee. **Page S7843**

Adjournment Resolution: Senate agreed to H. Con. Res. 92, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Pages S7843–44**

Measures Considered:

Department of Defense Appropriations Act: Senate continued consideration of the motion to proceed to consideration of H.R. 2685, making appropriations for the Department of Defense for the fiscal year ending September 30, 2016. **Pages S7776–79**

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 44 nays (Vote No. 298), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of the bill. **Page S7779**

Senator McConnell entered a motion to reconsider the vote by which cloture was not invoked on the motion to proceed to consideration of the bill. **Page S7779**

Subsequently, the motion to proceed was withdrawn. **Page S7779**

Military Construction and Veterans Affairs and Related Agencies Appropriations Act—Agreement: Senate began consideration of H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and taking action on the following amendments proposed thereto: **Pages S7786–S7811**

Pending:

Kirk/Tester Amendment No. 2763, in the nature of a substitute. **Pages S7793–94**

Kirk Amendment No. 2764 (to Amendment No. 2763), to clarify the term “congressional defense committees.” **Page S7794**

During consideration of this measure today, Senate also took the following action:

By a unanimous vote of 93 yeas (Vote No. 299), Senate agreed to the motion to proceed to consideration of the bill. **Page S7786**

A unanimous-consent agreement was reached providing that at approximately 3 p.m., on Monday, November 9, 2015, Senate resume consideration of the bill, with the time until 5:30 p.m. equally divided in the usual form. **Page S7844**

House Messages:

National Defense Authorization Act—Agreement: A unanimous-consent-time agreement was reached providing that following Leader remarks on Tuesday, November 10, 2015, the Chair lay before the Senate the House message to accompany S. 1356, to clarify that certain provisions of the Border Patrol Agent Pay Reform Act of 2014 will not take effect until after the Director of the Office of Personnel Management promulgates and makes effective regulations relating to such provisions; that Senator McCain, or his designee, be recognized to offer a motion to concur in the House amendment, and that there then be 20 minutes equally divided before a vote on the motion to concur; and that if the motion to concur is agreed to, Senate begin consideration of H. Con. Res. 90, directing the Secretary of the Senate to make a technical correction in the enrollment of S. 1356, and the resolution be agreed to. **Page S7843**

Allen Nomination—Agreement: A unanimous-consent agreement was reached providing that at 5:30 p.m., on Monday, November 9, 2015, Senate begin consideration of the nomination of Scott Allen, of Maryland, to be United States Director of the European Bank for Reconstruction and Development; that Senate vote on confirmation of the nomination, without intervening action or debate; and that no further motions be in order to the nomination. **Page S7843**

Messages from the House: **Page S7813**

Executive Communications: **Pages S7813–14**

Executive Reports of Committees: **Page S7814**

Additional Cosponsors: **Pages S7815–16**

Statements on Introduced Bills/Resolutions: **Pages S7816–23**

Additional Statements: **Pages S7812–13**

Amendments Submitted: **Pages S7823–32**

Authorities for Committees to Meet: **Page S7832**

Record Votes: Two record votes were taken today. (Total—299) **Pages S7779, S7786**

Adjournment: Senate convened at 9:30 a.m. and adjourned, as a further mark of respect to the memory of the late Senator Fred Thompson, at 5:53 p.m., until 3 p.m. on Monday, November 9, 2015. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S7844.)

Committee Meetings

(Committees not listed did not meet)

WILDFIRES

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine wildfire, focusing on stakeholder perspectives on budgetary impacts and threats to natural resources on Federal, state, and private lands, after receiving testimony from Daniel R. Dessecker, Ruffed Grouse Society/American Woodcock Society, Rice Lake, Wisconsin; William R. Dougan, National Federation of Federal Employees, Washington, D.C.; Ken Stewart, Georgia Institute of Technology Renewable Bioproducts Institute, Marietta, Georgia, on behalf of the American Forest Foundation; Chris Treese, Colorado River Water Conservation District, Glenwood Springs, on behalf of the National Water Resources Association; and Chris Wood, Trout Unlimited, Arlington, Virginia.

ROLES AND MISSIONS OF THE ARMED FORCES

Committee on Armed Services: Committee concluded a hearing to examine revisiting the roles and missions of the armed forces, after receiving testimony from Lieutenant General David A. Deptula, USAF (Ret.), the Mitchell Institute for Aerospace Studies, Arlington, Virginia; Robert Martinage, Center for Strategic and Budgetary Assessments, and Michael O’Hanlon, *The Future of Land Warfare*, both of Washington, D.C.; and Bryan McGrath, Hudson Institute Center for American Seapower, Easton, Maryland.

RETROSPECTIVE REVIEW OF EXISTING REGULATIONS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Regulatory Affairs and Federal Management concluded a hearing to examine agency progress in retrospective review of existing regulations, after receiving testimony from Elizabeth Klein, Associate Deputy Secretary of the Interior; Bill Nickerson, Acting Director, Office of Regulatory Policy and Management, Environmental Protection Agency; Megan J. Uzzell, Associate Deputy Secretary of Labor; and Christopher Zehren, Deputy

Director, Office of Budget and Program Analysis, Department of Agriculture.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Rebecca Goodgame Ebinger, to be United States District Judge for the Southern District of Iowa, Leonard Terry Strand, of South Dakota, to be United States District Judge for the Northern District of Iowa, Julien Xavier Neals, to be United States District Judge for the District

of New Jersey, Gary Richard Brown, to be United States District Judge for the Eastern District of New York, and Mark A. Young, to be United States District Judge for the Central District of California.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 63 public bills, H.R. 3932–3994; 1 private bills, H.R. 3995; and 10 resolutions, H. Con. Res. 90–92; and H. Res. 517–523, were introduced. **Pages H8149–52**

Additional Cosponsors: **Pages H8154–55**

Report Filed: A report was filed today as follows:

H.R. 1927, to amend title 28, United States Code, to improve fairness in class action litigation, with an amendment (H. Rept. 114–328). **Page H8149**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Page H8136**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Clarifying that certain provisions of the Border Patrol Agent Pay Reform Act of 2014 will not take effect until after the Director of the Office of Personnel Management promulgates and makes effective regulations relating to such provisions: S. 1356, amended, to clarify that certain provisions of the Border Patrol Agent Pay Reform Act of 2014 will not take effect until after the Director of the Office of Personnel Management promulgates and makes effective regulations relating to such provisions, by a 2/3 yea-and-nay vote of 370 yeas to 58 nays, Roll No. 618. **Pages H7747–H8129**

Hire More Heroes Act of 2015: The House agreed to the Senate amendment to the text of H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, with an amendment. **Pages H8129–33**

Pursuant to H. Res. 512, the question was put on agreeing to the amendments en gros. The amendments were agreed to by a recorded vote of 363 yeas to 64 noes, Roll No. 623. **Page H8132**

Agreed to:

Mullin amendment (No. 16 printed in part B of H. Rept. 114–326) that was debated on November 4th that requires the Administrator of the Environmental Protection Agency to ensure that in promulgating regulations any preference or incentive provided to electric vehicles is also provided to natural gas vehicles (by a recorded vote of 246 yeas to 178 noes, Roll No. 620); **Page H8130**

Burgess amendment (No. 17 printed in part B of H. Rept. 114–326) that was debated on November 4th that modifies and adds certain provisions to the Senate amendments dealing with the National Highway Traffic Safety Administration (by a recorded vote of 235 yeas to 192 noes, Roll No. 621); and **Pages H8130–31**

Neugebauer amendment (No. 18 printed in part B of H. Rept. 114–326) that was debated on November 4th that executes a liquidation of the Federal Reserve surplus account and remittance of funds to the U.S. Treasury; the amendment also dissolves the existence of the surplus account on a go-forward basis; and the amendment ensures future net earnings of the Federal Reserve, in excess of dividend paid, are remitted to the U.S. Treasury (by a recorded vote of 354 yeas to 72 noes, Roll No. 622). **Pages H8131–32**

Rejected:

Schakowsky amendment (No. 15 printed in part B of H. Rept. 114–326) that was debated on November 4th that sought to improve quality and quantity of information shared about vehicle safety issues among auto manufacturers, NHTSA, and consumers; also improves the quality and quantity of safety information provided about used cars at point

of sale (by a recorded vote of 176 ayes to 251 noes, Roll No. 619). **Pages H8129–30**

Pursuant to section 6 of H. Res. 512, a motion that the House concur in the Senate amendment to the text of H.R. 22 with an amendment is adopted, and a motion to concur in the Senate amendment to the title of H.R. 22 is adopted. **Pages H8132–33**

H. Res. 512, the rule providing for further consideration of the Senate amendments to the bill (H.R. 22) was agreed to yesterday, November 4th.

Clerk to Correct Enrollment: The House agreed to H. Con. Res. 90, directing the Secretary of the Senate to make a technical correction in the enrollment of S. 1356. **Page H8133**

Veto Message—Motion to Refer: Agreed by unanimous consent that, notwithstanding the order of the House of October 21, 2015, the veto message of the President on the bill, H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, together with the accompanying bill, be referred to the Committee on Armed Services. **Page H8133**

Hire More Heroes Act of 2015—Motion to go to Conference: Pursuant to H. Res. 512, the House agreed to the Shuster motion to take from the Speaker's table the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, with the House amendment to the Senate amendment thereto, insist on the House amendment, and request a conference with the Senate thereon, by a recorded vote of 371 ayes to 54 noes, Roll No. 624. **Pages H8133–34**

Rejected the Huffman motion to instruct conferees by a yea-and-nay vote of 179 yeas to 239 nays, Roll No. 625. **Pages H8134–35**

The Chair appointed the following Members of the House to the conference committee on the bill: from the Committee on Transportation and Infrastructure, for consideration of the House amendment and the Senate amendment, and modifications committed to conference: Representatives Shuster, Duncan (TN), Graves (MO), Miller (MI), Crawford, Barletta, Farenthold, Gibbs, Denham, Ribble, Perry, Woodall, Katko, Babin, Hardy, Graves (LA), DeFazio, Norton, Nadler, Brown (FL), Eddie Bernice Johnson (TX), Cummings, Larsen (WA), Capuano, Napolitano, Lipinski, Cohen, and Sires. The Chair

announced that further appointments of conferees would occur at a subsequent time. **Page H8136**

Committee Resignation: Read a letter from Representative Rice (SC), wherein he resigned from the Committees on the Budget, Small Business, and Transportation and Infrastructure. **Page H8136**

Committee Election: The House agreed to H. Res. 517, electing Members to certain standing committees of the House of Representatives. **Page H8136**

Permission to file reports: Agreed by unanimous consent that the Committee on Financial Services have until 6 p.m. on Monday, November 9, 2015 to file a report to accompany H.R. 1737, H.R. 3189, and H.R. 1210. **Page H8136**

Adjournment Resolution: The House agreed to H. Con. Res. 91, providing for an conditional adjournment of the House of Representatives. **Pages H8136–37**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, November 9th, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 91, in which case the House shall stand adjourned pursuant to that concurrent resolution, and further that the order of the House of January 6, 2015, regarding morning-hour debate not apply on that day. **Pages H8139–40**

Adjournment Resolution: The House agreed to H. Con. Res. 92, providing for an conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page H8145**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 3 p.m. on Monday, November 9th, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 92, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page H8145**

Quorum Calls—Votes: Two yea-and-nay votes and six recorded votes developed during the proceedings of today and appear on pages H8128–29, H8129–30, H8130, H8130–31, H8131–32, H8132, H8133, and H8135. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 2 p.m., the House stands adjourned until 2 p.m. on Monday, November 16, 2015, pursuant to H. Con. Res. 92.

Committee Meetings

EXAMINING THE COSTLY FAILURES OF OBAMACARE'S CO-OP INSURANCE LOANS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled “Examining the Costly Failures of Obamacare’s CO-OP Insurance Loans”. Testimony was heard from Senator Sasse; Julie McPeak, Insurance Commissioner, Tennessee; James Donelon, Insurance Commissioner, Louisiana; Mandy Cohen, Chief of Staff, Centers for Medicare and Medicaid Services; Gloria L. Jarmon, Deputy Inspector General for Audit Services, Office of Inspector General, Department of Health and Human Services; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Foreign Affairs: Full Committee held a markup on H.R. 2241, the “Global Health Innovation Act of 2015”; H.R. 2845, the “African Growth and Opportunity Act Enhancement Act of 2015”; H.R. 3750, the “First Responders Passport Act of 2015”; and H.R. 3766, the “Foreign Aid Transparency and Accountability Act of 2015”. The following bills were ordered reported, as amended: H.R. 2241 and H.R. 3750. The following bills were ordered reported, without amendment: H.R. 2845 and H.R. 3766.

IRAN'S POWER PROJECTION CAPABILITY

Committee on Oversight and Government Reform: Subcommittee on National Security held a hearing entitled “Iran’s Power Projection Capability”. Testimony was heard from public witnesses.

EXAMINING EPA'S PREDETERMINED EFFORTS TO BLOCK THE PEBBLE MINE

Committee on Science, Space, and Technology: Full Committee held a hearing entitled “Examining EPA’s Predetermined Efforts to Block the Pebble Mine”. Testimony was heard from public witnesses.

Joint Meetings

RULE OF LAW AND CIVIL SOCIETY IN AZERBAIJAN

Commission on Security and Cooperation in Europe: Commission received a briefing on the rule of law and civil society in Azerbaijan from Representative Aderholt; Richard Morningstar, former Ambassador to the Republic of Azerbaijan, Atlantic Council Global Energy Center, and Natalia Bourjaily, International Center for Not-for-Profit Law, both of Washington, D.C.; and Dinara Yunus, Amsterdam, The Netherlands.

COMMITTEE MEETINGS FOR FRIDAY, NOVEMBER 6, 2015

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

3 p.m., Monday, November 9

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, November 16

Senate Chamber

Program for Monday: Senate will resume consideration of H.R. 2029, Military Construction and Veterans Affairs and Related Agencies Appropriations Act.

At 5:30 p.m., Senate will begin consideration of the nomination of Scott Allen, of Maryland, to be United States Director of the European Bank for Reconstruction and Development, and vote on confirmation of the nomination.

House Chamber

Program for Monday: House will not be in session.

Extensions of Remarks, as inserted in this issue

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